

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT FARWELL,
Petitioner,
v.
DIRECTOR OF CDCR,
Respondent.

No. 2:25-cv-0225 DJC AC P

ORDER

Petitioner has moved for leave to proceed in forma pauperis and requested the appointment of counsel. Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a).

There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. Petitioner requests appointment of counsel on the grounds that he is indigent, he has no formal legal education, and the issues are complex. ECF No. 28. The court has already ordered respondent to file a response to the petition. ECF No. 25. Given the early stages of this case and the fact that petitioner need not take any action until a response to the petition has been filed, the court does not find that the interests

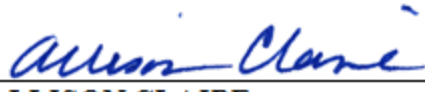
1 of justice would be served by the appointment of counsel at the present time.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Petitioner's motion to proceed in forma pauperis (ECF No. 29) is GRANTED; and

4 2. Petitioner's request for appointment of counsel (ECF No. 28) is denied without
5 prejudice to a renewal of the motion at a later stage of the proceedings.

6 DATED: September 25, 2025

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8 ALLISON CLAIRE
9 UNITED STATES MAGISTRATE JUDGE
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